

***United States Court of Appeals
for the Second Circuit***



EXHIBITS

No. 76-4100

IN THE
United States Court of Appeals
FOR THE SECOND CIRCUIT

SZABO FOOD SERVICES, INC., *Petitioner*

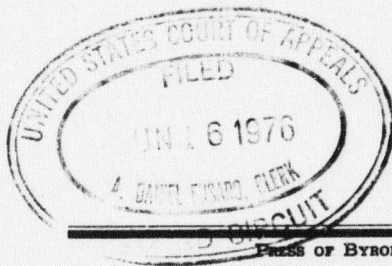
v.

NATIONAL LABOR RELATIONS BOARD, *Respondent*

On Petition for Review of Decision and Order of
National Labor Relations Board

EXHIBIT TO JOINT APPENDIX

REED, SMITH, SHAW & McCLAY
JOSEPH C. WELLS
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BEFORE THE NATIONAL LABOR RELATIONS BOARD

Second Region

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In the Matter of:

SZABO FOOD SERVICES, INC.

Employer,

-and-

LOCAL 217, HOTEL & RESTAURANT EMPLOYEES
& BARTENDERS UNION, AFL-CIOPetitioner
-----x

Hearing Room
City Hall
200 Orange Street
New Haven, Connecticut, 06510
Thursday, October 31, 1974

The above-entitled matter came on for further hearing,
pursuant to adjournment, at 10:00 a.m.

BEFORE:

DON C. CARMODY

Hearing Officer

APPEARANCES:

NORMAN ZOLOT, Esq.

9 Washington Avenue, Hamden,
Connecticut, 06513, on behalf of
the Petitioner.

JOSEPH C. WELLS, Esq.

1225 Connecticut Avenue, N.W.,
Washington, D.C., 20036, on
behalf of the Employer.

I N D E X

WITNESSES:

	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
George Brower	19	32	61	62
Darrell Daggett	67	74	77	78
(Further Examination)			82	83

EXHIBITS

FOR IDENTIFICATION IN EVIDENCE

Board's

B-2	18	18
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Employer's

E-1	21	21
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E-2	22	22
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E-3	24	24
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Petitioner's

P-1	33	35
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P R O C E E D I N G S

10:15 a.m.

1
2
3 HEARING OFFICER: On the record.

4 This is a resumption of the matter of Szabo Food Services,
5 Inc., Case No. 2-RC-16612, before the National Labor Relations
6 Board.

7 The Hearing Officer appearing for the Board is Don C.
8 Carmody.

9 It is my understanding that we have an additional appear-
10 ance on behalf of the Petitioner, today. Would you like to
11 state your appearance, please?

12 MR. ZOLOT: Norman Zolot, 9 Washington Avenue, Hamden,
13 Connecticut, 06518,

14 HEARING OFFICER: And your telephone number, sir?

15 MR. ZOLOT: 288-3591, area code 203.

16 HEARING OFFICER: I now propose to receive into the record,
17 Board Exhibit No. 2. The document is an order rescheduling
18 the hearing from an adjournment indefinitely, to today, Thurs-
19 day, October 31st.

20 The parties have been shown the document. Is there any
21 objection to the receiving into evidence? Mr. Wells, on behalf
22 of the Employer?

23 MR. WELLS: No.

24 HEARING OFFICER: Mr. Zolot, on behalf of the Petitioner?

25 MR. ZOLOT: No.

1 HEARING OFFICER: There being no objections, the Board's
2 Exhibit No. 2 is received.

3 (The above-referred document was
4 marked Board's Exhibit 2 for id-
5 entification and received in ev-
6 idence.)

6 HEARING OFFICER: I may recount where we left off several
7 weeks ago. We had taken a stipulation with respect to commerce
8 and labor organization.

9 We have in the record a question concerning representation
10 and, as I understand it, the sole issue before us is the ques-
11 tion of the appropriateness of the unit. I ask each of the
12 parties, at this time, to state once again for the record, at
13 this point, what their respective positions are on the unit.

14 Mr. Zolot, since you're the Petitioner?

15 MR. ZOLOT: I submitted a Petition for all service, food
16 service employees at the Employer's food service operations at
17 Sikorsky Aircraft plant located in Stratford, Connecticut, and
18 Bridgeport, Connecticut, but excluding all others.

19 HEARING OFFICER: Now, Mr. Wells?

20 MR. WELLS: I think I stated our position before as being
21 that, since the appropriate unit would be one including all of
22 Szabo Food operations in United Aircraft plants in Connecticut.

23 HEARING OFFICER: All right, I understand. We'll proceed
24 with Mr. Wells. Would you care to proceed?

25 MR. WELLS: Not particularly. And then again, I don't
know.

1 HEARING OFFICER: Mr. Zolot?

2 MR. ZOLOT: Mr. Wells has most of the facts. Let him
3 start.

4 HEARING OFFICER: For an orderly record, it might work out
5 best if you would proceed first, Mr. Wells.

6 MR. WELLS: Very well. Call George Brower.
7 Whereupon,

8 GEORGE BROWER
9 was called as a witness by and on behalf of the Employer, and
10 having been first duly sworn, was examined and testified as
11 follows:

12 HEARING OFFICER: Please give your full name to the re-
13 porter.

14 THE WITNESS: George Brower, B-r-o-w-e-r.

15 DIRECT EXAMINATION

16 Q (By Mr. Wells) What is your position with Szabo Food?

17 A I'm the vice-president of personnel for the corporation.

18 Q Would you give a brief description of Szabo Foods, Inc?

19 A Szabo Food Service is a nation-wide food service manage-
20 ment corporation, doing business in approximately 39 states,
21 feeding areas, industrial cafeterias comparable to the United
22 Aircraft facilities, schools, hospitals, a certain, excuse me,
23 a certain amount of public facilities.

24 Q Approximately how many locations do you have?

25 A Last count was something in the neighborhood of 610, 620.

1 Q Among your customers, is United Aircraft, I believe, is
2 that correct?

3 A Correct.

4 Q And you have a contract with the United Aircraft Corpora-
5 tion to provide industrial feeding in their plants?

6 A Yes, we do.

7 MR. WELLS: Can we go off the record for a minute?

8 HEARING OFFICER: Sure. Off the record.

9 (A discussion was held off the record.)

10 HEARING OFFICER: Back on the record.

11 Q (By Mr. wells) I hand you what has been marked for iden-
12 tification Company's Exhibit No. 1, and ask if this is a copy
13 of your current agreement with United Aircraft Corporation?

14 A Yes, it is.

15 MR. WELLS: Will it be received in evidence?

16 MR. ZOLOT: No objections.

17 HEARING OFFICER: Off the record for a moment.

18 (A discussion was held off the record.)

19 HEARING OFFICER: Back on the record.

20 The document has been marked for identification as Emplo-
21 yer's Exhibit No. 1. It's been identified by Mr. Brower. Are
22 there any objection to it's being received in evidence, on be-
23 half of the Employer, Mr. Wells?

24 MR. WELLS: Am I offering any objection? No.

25 MR. ZOLOT: No objection.

1 HEARING OFFICER: There being no objection, the document
2 marked for identification as Employer's Exhibit No. 1 is received.

3 (The above-referred document was
4 marked Employer's Exhibit No. 1
5 for identification and received
6 in evidence.)

7 HEARING OFFICER: Off the record.

8 (A discussion was held off the record.)

9 HEARING OFFICER: Back on the record.

10 Q (By Mr. Wells) Mr. Witness, I hand you what has been mar-
11 ked for identification as Company's Exhibit No. 2 and ask you
12 if this is a map of the -- of Connecticut, showing the locations
13 of the various cafeteria facilities operated by Szabo Foods
14 for United Aircraft Corporation.

15 And I'm showing, in red figures beside each location, the
16 approximate mileage from East Hartford.

17 A Yes, it is.

18 Q Is that an accurate description?

19 A Yes.

20 HEARING OFFICER: Off the record.

21 (A discussion was held off the record.)

22 HEARING OFFICER: Back on the record.

23 MR. WELLS: I move that Company's Exhibit No. 2 be moved
24 in evidence.

25 MR. ZOLOT: No objection.

HEARING OFFICER: We have it marked for identification as

1 Employer's Exhibit No. 2. As there is no objection to its
2 being received in evidence on behalf of the Petitioner, the
3 document is received.

4 (The above-referred document was
5 marked Employer's Exhibit No. 2
6 for identification and received
7 in evidence.)

8 Q (By Mr. Wells) Mr. Witness, has Szabo Foods a special or-
9 ganization, a subdivision of Szabo Foods, which operates the
10 United Aircraft Cafeterias?

11 A Yes, we do.

12 Q In Connecticut?

13 A Yes.

14 Q Would you describe that, please.

15 A Okay. The specific organization is headed up by a -- non-
16 emclature-wise, he reports in as a district manager. I think
17 we refer to him as a general manager, just for the sake of a
18 title for the position.

19 This man is responsible for all of the United Aircraft
20 operations in the state of Connecticut.

21 Q Is he responsible for any other Szabo Food operations?

22 A No.

23 Q His sole responsibility is United Aircraft within the state.
24 Let me have -- excuse me a minute.

25 HEARING OFFICER: I think it would be a good idea if we
got the names of these individuals.

1 MR. WELLS: We will.

2 HEARING OFFICER: Off the record.

3 (A discussion was held off the record.)

4 HEARING OFFICER: Back on the record.

5 Q (By Mr. Wells) I'll hand you what has been marked as Com-
6 pany's Exhibit No. 3 for identification, and ask you if this
7 chart is a, is descriptive of the organization which operates
8 United Aircraft Corporation cafeterias in Connecticut?

9 A Okay. The chart is descriptive. It was prepared approx-
10 imately 2 and a half to 3 weeks ago. However, there has been
11 one change to it since that time. Mr. John Bies, B-i-e-s, now
12 occupies the district manager position and Mr. McDermott is now
13 an assistant to him.

14 Q Other than that, that describes the organization that is
15 engaged in operating the cafeterias of United Aircraft Corpor-
16 ation, is it?

17 A Yes. It is.

18 HEARING OFFICER: Could we have the title of this organi-
19 zation? Is it as stated on this document?

20 MR. WELLS: It's a district unit, there's no title to it.

21 HEARING OFFICER: No title to it? Okay, so then it's all
22 the Connecticut on here?

23 MR. WELLS: All the operations of Szabo Foods, Inc.

24 HEARING OFFICER: Okay. Is this being offered into evi-
25 dence, Mr. Wells?

1 MR. ZOLOT: No objection.

2 HEARING OFFICER: We have marked for identification the
3 document as Employer's Exhibit No. 3. It's been offered into
4 evidence. There being no objection from the Petitioner to its
5 receipt into evidence, the document is received.

6 (The above-referred document was
7 marked Employer's Exhibit No. 3
8 for identification and received
9 in evidence.)

9 Q (By Mr. Wells) Each of the cafeterias listed on Company's
10 Exhibit No. 3, you have a -- well, who is in charge of, locally
11 of each one of these?

12 A Okay. Following down on the organization chart, notice
13 we have each individual location listed, the locations will
14 have either a manager or a shift manager at each location who
15 is responsible for that particular location.

16 That individual reports back through one of the three sup-
17 ervisors, who inturn, report up to the district manager.

18 Q Okay, now, these ah, what did you call them, managers?

19 A Managers, shift managers.

20 Q Chef managers. Does he have the authority to terminate
21 employees?

22 A Only in an extreme instance. The procedure calls for rec-
23 ommendations for termination to be made through his respective
24 supervisor, who, in turn, depending on the magnitude of it, will
25 go to the district manager for final approval, with the exception

1 of a terminable offense, such as, you know, if the manager were
2 struck by an employee, he would have the authority to say, you
3 know, you're through, at that particular point.

4 All the other recommendations have to be made through the
5 supervisor and the district manager.

6 Q How about rates of pay in the cafeterias? Who establishes
7 those?

8 A Okay. The pay structure of the entire Connecticut oper-
9 ations, is established through the office of the district mana-
10 ger. And that, in turn, is then implemented throughout the op-
11 erations.

12 The local unit manager can make no more than a recommenda-
13 tion. He's got no authority to assign a rate increase. That
14 will not be accepted by the payroll department without the dis-
15 trict manager's signature.

16 Q Who decides how many employees are in each cafeteria?

17 A This, again, is at the district manager's level. This is
18 done on an annual forecast, and he is responsible for the pre-
19 paration and the attainment of it.

20 Q Does the local manager have the authority to promote emp-
21 loyees?

22 A He can make recommendations, but he cannot effect any trans-
23 actions of that nature. Again, rate changes, promotions, chan-
24 ges in status will have to come back with the district managers
25 approval. His is a recommendation process.

1 Q On Company's Exhibit No. 3 I note that you have a location
2 listed as Central Kitchen. That's not a cafeteria, actually,
3 is it?

4 A It's more of a production facility.

5 Q Where is that located?

6 A That is located in East Hartford.

7 Q And, for example, does it provide bakery products for all
8 cafeterias in Connecticut?

9 A For all the cafeterias in Connecticut there is a regularly
10 scheduled delivery of fresh-baked products out of the Central
11 Kitchen, that's distributed to all of these locations.

12 Q Purchasing. How is purchasing handled for the Connecticut
13 operations?

14 A Okay. We'll have to -- purchasing for the corporation is
15 handled by a vice-president of purchasing in the corporate
16 offices in Illinois, who, in turn, will go out and review and
17 survey a specific area.

18 And then he will set price levels for whatever area in the
19 country that we're operating. And the specific Connecticut area
20 he will set price levels wherever he can to negotiate, what
21 we call, national purchasing agreements.

22 We may go in with one specific purveyor, let's say for
23 example, John Sexton and Company, where we would have a nation-
24 wide buying agreement with Sexton, which would increase our
25 purchasing power enough to give us an edge over buying locally

1 as a small independent restaurant, let's say here in the state
2 of Connecticut.

3 All purchases have to have the approval of the purchasing
4 department in corporate. There is prepared a monthly list of
5 acceptable purveyors. In other words, each unit, the district
6 manager would get a list saying these are the people you are
7 allowed to buy from in the state of Connecticut, and these are
8 the items and the quantities and the prices that we have gotten
9 national agreements on.

10 In turn, this then, is, you know, sent down, basically, as
11 a laundry list to each unit. Here is what is available, and
12 here are the prices that are paid for it. The unit manager's
13 function or the chef manager's function is no more than an or-
14 dering process.

15 There is no purchasing involved. It's just a matter of
16 I need X amount of pounds of potatoes, and I pick up the phone
17 and the list says I call XYZ potato company and they ship them
18 in to me.

19 Q Now, where does your district manager make his headquarters?

20 A His headquarters is in the East Hartford facility, at the
21 Central Kitchen. There's also -- there are office spaces.

22 Q And where were accounting and payroll records kept? For
23 all the operations?

24 A Okay. They are maintained, actually, in two facilities.
25 One is in the office of the district manager and the other in

1 the corporate offices in Chicago, from whence the payroll is
2 physically processed. But the district manager is the one --
3 the payroll, time sheets, work cards, if you will, are submitted
4 from each of these locations on a weekly basis into the office
5 manager, who, in turn, completes the payroll, passes it to the
6 district manager for his review and concurrence.

7 He signs off on it and forwards it into the corporate off-
8 ices to have the paychecks processed and then distributed.

9 Q Referring back to Company's Exhibit No. 3, I note that
10 after each one of the locations, you have a figure, like office
11 building B - 17, cafeteria H - 38. What are those?

12 A Okay, these figures represented, at the time, the tentative
13 staffing levels in each one of these facilities, which would
14 indicate that under office building B, that there were 17
15 people.

16 Q What type of people would that be? Are these hourly paid,
17 non-supervisory?

18 A Everyone. This is the entire population of the unit.
19 Again, the validity of the figures is going to be off one or
20 two because of the age of the document and the fluctuation of
21 the labor force.

22 HEARING OFFICER: These figures were as of the date the
23 document was prepared?

24 THE WITNESS: Right.

25 Q (By Mr. Wells) So that's a few weeks ago?

1 A Yes, just before the first hearing. I believe they were
2 taken off of a payroll sometime in the beginning of September.
3 It was just a manual count by --

4 Q Now, in addition to unit manager, what did we call them,
5 cafeteria manager or the --

6 A The unit manager or chef manager.

7 Q The chef manager. What other supervisory employees would
8 you have at each one of the cafeterias?

9 A Okay. Depending on the size and location, maybe we can
10 define a chef manager is an individual who is responsible for
11 the management of his particular facility and also the actual
12 preparation of the food.

13 He cooks as well as supervises. A unit manager would nor-
14 mally have a cook working for him to do more of the actual phy-
15 sical work and give him time to do more of the administrative
16 chores.

17 Again, depending on the size of the operation and the
18 client's requirements, if you're in a facility that is running
19 a second shift or a third shift, you may have the second shift
20 supervisor, a third shift supervisor or someone who would func-
21 tion in that capacity, maybe with a different title like a lead
22 man. Or, you know, a cook who might work on a second shift and
23 then just handle some of the administrative chores.

24 From a supervisory standpoint, that would normally be the
25 extent of what you would consider supervisory people within an

1 operation.

2 Q Now, did you make a study or have you made a study of the
3 number of instances of temporary transfers between the various
4 locations listed on Company's Exhibit No. 37

5 A Yes, we have.

6 Q Can you tell us, over the past approximately 12 months'
7 period, how many temporary transfers among these various facil-
8 ities you've had?

9 A Okay. The review indicated something in the neighborhood
10 of 700 temporary transfers between all of the facilities throu-
11 ghout the state.

12 Q Do you occasionally, for example at Stratford or Bridgeport,
13 have special events where you cater food, say for example, I
14 believe you have a monthly foreman's dinner?

15 A Correct.

16 Q At Stratford and Bridgeport?

17 A Right.

18 Q Now, you transfer people from other locations to assist
19 in that event?

20 A Yes, we do.

21 Q How many people would you transfer and where would you get
22 them from?

23 A We would try initially to draw from those facilities geo-
24 graphically closest, which would be Norwalk, Southington, North
25 Haven and it can vary again, depending on the size of the func-

1 tion, how many people are going to attend, anywhere from 5 to
2 25 people you would have to draw from outside the unit.

3 Q You have frequent instances of the other locations, where
4 you have the same sort of thing?

5 A Yes, we do.

6 Q And would you draw from Bridgeport and Stratford to take
7 people from those locations and shift them over to Norwald, for
8 example, or --

9 A Yes. And if the occasion calls for it, really you'd get
10 the people from wherever they're available. The primary func-
11 tion is to put the feeding operation out. You draw on all your
12 people. In that regard, you know, it's part of the response to
13 the question, I think today is probably a good example.

14 I understand we have a bunch of employees from the Strat-
15 ford-Bridgeport area who have been excused. They're not working
16 today, and they have been replaced by people from, I think,
17 Southington, if I'm not mistaken, where we've had to draw from
18 Southington today to cover the people for the job that are here
19 right now, as well as having a supervisor, Mr. Halbling, fill
20 in for Mr. Daggett, the manager, that's here this morning.

21 And this is a very commonplace occurrence in terms of the
22 daily replacement of people throughout an organization of this
23 size.

24 Q Are prices uniform in all the cafeterias?

25 A Most definitely yes.

1 Q You have a manual, the company has a manual of policies
2 and procedures, is that not correct?

3 A Yes, we do.

4 Q And that's for the guidance of--

5 A All the employees.

6 Q All the employees. None of the employees of the various
7 installations listed on Company's Exhibit No. 3 are represented
8 by a labor union, is that correct?

9 A That's correct.

10 Q And they never have been?

11 A As long as we have been in there. To my knowledge, they
12 never have been.

13 MR. WELLS: All right. That's all I have.

14 HEARING OFFICER: Mr. Zolot?

15 MR. ZOLOT: Thank you. May I have the contract, please?

16 CROSS-EXAMINATION

17 Q (By Mr. Zolot) When did Szabo Foods take this contract
18 over?

19 A I don't have the exact date, but I recall it was somewhere
20 in the latter part of the 1950s. It might be somewhere in the
21 contract.

22 Q From whom, if you know, did Szabo Foods take over the op-
23 erations?

24 A I --

25 Q C.W. Brown, C.R. Brown --

1 A Who was the operator before Szabo?

2 Q Yes.

3 A I think it was C.R. Brown, but I --

4 MR. WELLS: Yes, it was C.R. Brown.

5 MR. ZOLOT: Joe, may we -- at this point, I'd like to offer
6 decision 428 of the Connecticut State Labor Relations Board,
7 dated November 20, 1956, which concerns C.R. Brown, doing busin-
8 ess as C.R. Brown Cafeterias, and the Hotel and Restaurant Em-
9 ployees, Local 59, which involves some of the units described
10 by this witness.

11 I understand there's no objection?

12 MR. WELLS: I don't have any objection to this being put
13 into the record for the convenience of the Board.

14 I will point out that this is dated 1956. It involves a
15 different operation, obviously, and also, it does not involve --
16 some of the units extant in 1956 are still extant, but some of
17 them are not.

18 But I have no objection to its being put in for the Board
19 to take official notice of it.

20 HEARING OFFICER: I want to have that marked for identifi-
21 cation as Petitioner's Exhibit No. 1.

22 (The above-referred document was
23 marked Petitioner's Exhibit No. 1
for identification.)

24 MR. ZOLOT: May we go off the record, please?

25 HEARING OFFICER: Off the record.

1 (A discussion was held off the record.)

2 HEARING OFFICER: Back on the record.

3 I'd like to ask Mr. Zolot a question.

4 Mr. Zolot, the labor organization that was involved in the
5 matter that was decided by the Connecticut State Board of Labor
6 Relations here that we haven't offered into evidence, is it --
7 it's not the same labor organization?

8 MR. ZOLOT: No, it's not. It's a sister local.

9 HEARING OFFICER: I have marked for identification as Pet-
10 itioner's Exhibit No.1, is there any objection to it's receipt
11 into evidence, Mr. Wells, on behalf of the Employer?

12 MR. WELLS: No, I have no objection. I would like to have
13 Mr. Zolot stipulate, however, as noted on the first page of the
14 Petitioner's Exhibit 1, the question of jurisdiction, the State
15 Board's decision on this --

16 MR. ZOLOT: Correct.

17 MR. WELLS: Subsequently, it was decided that the Board
18 did not have the jurisdiction.

19 MR. ZOLOT: I would so stipulate.

20 HEARING OFFICER: That was decided by the State Court?

21 MR. ZOLOT: Yes. Connecticut's Superior Court.

22 HEARING OFFICER: The stipulation is received.

23 There being no objection to the receipt into evidence on
24 the document marked for identification as Petitioner's Exhibit
25 No. 1, the document is received.

(The document, heretofore marked
Petitioner's Exhibit No. 1 was
received in evidence.)

1
2
3 Q (By Mr. Zolot) Now, Mr. Brower, you have a cafeteria
4 located at Windsor-Locks now?

5 A Yes, we do.

6 Q Would you identify that cafeteria on Company's Exhibit 3?

7 MR. WELLS: Wait a minute. I have it.

8 A They're given alpha designations, and I'm trying to corre-
9 late the alpha designations back into the geographic locations.
10 I would presume that it's, like, cafeteria H or cafeteria K.

11 MR. WELLS: It's H, K, M.

12 A Okay, H, K, M.

13 Q At Broadbrook, do you have a cafeteria in that plant?

14 MR. WELLS: We don't have a plant in Broadbrook.

15 MR. ZOLOT: I'm asking when was it closed, if you know.

16 MR. WELLS: I don't know.

17 HEARING OFFICER: I think it would be best if we had some
18 answers coming from the witness and less from --

19 MR. WELLS: He doesn't have the faintest idea.

20 MR. ZOLOT: This is judicial admission.

21 HEARING OFFICER: As long as it's understood in the record
22 that these last 2 questions were directed to Mr. Wells.

23 Q (By Mr. Zolot) Do you have a unit at Podunk, above East
24 Hartford?

25 MR. WELLS: He doesn't know. I would again say that there

1 is one at Podunk. That's a facility United Aircraft Corporation
2 does not operate.

3 Q (By Mr. Zolot) At southington, you have a facility which
4 is under the supervision of Jay Helman, is that correct?

5 A Yes.

6 Q And Meriden, you have a facility there?

7 MR. WELLS: There is no United Aircraft plant in Meriden.

8 MR. ZOLOT: Thank you.

9 Q (By Mr. Zolot) Do you still have a facility at North
10 Haven?

11 A Yes, we do.

12 Q And I think we can stipulate that Norwalk has been added
13 to the area --

14 MR. WELLS: That's right.

15 MR. ZOLOT: -- covered since 1956. And Middletown.

16 MR. WELLS: I think, Mr. Zolot, if you'll look at Company's
17 Exhibit No. 2, it gives the location of the cafeterias, for
18 example, Windsor Locks, Windsor, East Hartford, et cetera, and
19 you'll note that --

20 MR. ZOLOT: I just want to put the record in the posture
21 where the examiner can compare the '56 situation with the cur-
22 rent situation.

23 Q (By Mr. Zolot) Now, you said that there were 700 trans-
24 fers. Could you tell us how many of those transfers were with-
25 in the unit under the supervision of Mr. McCarthy.

1 A The research that was done, it was not broken out by in-
2 dividual area. It was extracted from those records within the
3 main office where the payrolls are assembled, and it was just
4 a compilation of what we would consider cross-charges between
5 operations.

6 If, for instance, the engineering, if someone from Central
7 Kitchen were transferred to the engineering building for a day,
8 that was recorded as one transfer. And we do not segregate
9 these statistics by each supervisor or back and forth from the
10 locations.

11 Q Well, I -- let me understand what you're saying. That
12 looking at McCarthy's supervisory group, I am an employee at
13 cafeteria H and I am transferred to cafeteria K, that shows up
14 as one of your 700 transfers, is that correct?

15 A Correct.

16 Q Now, similarly, if I'm an employee at Farmington, and I
17 am transferred to cafeteria H, for just a day, that would show
18 up as a transfer?

19 A Yes, it would.

20 Q Now, what I'd like to know from you, sir, is as between
21 locations, not within the same locations, how many transfers
22 were there to and from Stratford and Bridgeport in that 700
23 figure?

24 A I don't have an exact number.

25 Q Well, how many do you have showing from Bridgeport to

1 Stratford in that 700 figure?

2 A Bridgeport and Stratford are, from an accounting stand-
3 point, one location, and movements between the two would not
4 be so indicated on the payroll and the time charts. It's con-
5 sidered as one facility.

6 Q All right, now then, let's take the next step. If that's
7 a cost center, then from that cost center to any other cost
8 center, how many individuals were transferred out? From Brid-
9 geport-Stratford to any other cost center within that 700 fig-
10 ure?

11 A I don't have the information as the exact statistic from
12 location to location.

13 Q Well, how many do you have showing a transfer from any
14 other cost center into the Stratford-Bridgeport cost center
15 within that 700 figure?

16 A Again, the total was taken as a total for the operation
17 without going into the specifics.

18 Q You knew, Mr. Brower, did you not, that one of the issues
19 in this hearing was transfers to and from the locations Strat-
20 ford and Bridgeport and other locations?

21 MR. WELLS: I object to the argumentary question.

22 HEARING OFFICER: The objection is sustained. I would
23 suggest that somehow we get into the record, since we have this
24 testimony already with regard to an overall number of about
25 700 temporary transfers, the information that the Petitioner

1 is seeking here, roughly how many transfers you would have had
2 into and out of the cost center of Stratford and Bridgeport to
3 any other cost centers.

4 Is there some way we can get that information?

5 THE WITNESS: The data that was compiled, we gave the dir-
6 ections to the clerks in the office, to give us the total count
7 of transfers throughout the Connecticut operations.

8 And this they did, on a total basis, without regard to
9 setting up a giant matrix as to who went from H to K, or from
10 K to L, or from Farmington to Southington. This type of stat-
11 istic they did not compile.

12 Q (By Mr. Zolot) Is it fair to say that less than 2 percent,
13 if that many, let me go back a minute. The transfers to and
14 from Stratford were minimal in the 700 figure?

15 A I don't know.

16 Q You didn't examine the figures, yourself?

17 A No, I did not.

18 Q Who prepared the 700 figure estimate?

19 A The estimate was drawn by the clerical employees from the
20 records. And it was farmed out to a half a dozen clerical
21 employees, each of them taking the total payrolls for the entire
22 operation for a given period. Then they just came back with the
23 statistic.

24 Q And it's your position that you have no knowledge at this
25 time as to the number of temporary transfers to or from the

1 Stratford-Bridgeport unit?

2 MR. WELLS: Besides the number, he's given you that answer
3 2 or 3 times.

4 MR. ZOLOT: No, no.

5 Q (By Mr. Zolot) Is that correct?

6 A That's correct.

7 HEARING OFFICER: You haven't asked him if he knew.

8 THE WITNESS: Other than knowing that there were transfers
9 back and forth, I couldn't even give you an estimate.

10 Q (By Mr. Zolot) How frequently were the transfers that you
11 know about?

12 A Well, for instance, the -- one of the functions that calls
13 for a transference of people is a monthly foreman's dinner
14 which would provide for, as we stated earlier, anywhere from
15 5 to 25 people depending on the size.

16 Going on the premise that the monthly foreman's dinner
17 is exactly what it calls for, we're talking at least 12 oc-
18 casions a year, 5 to 25 people for that operation alone --

19 MR. WELLS: Brought in from other locations

20 THE WITNESS: Yes. I understand that the division pres-
21 ident runs one or two dinners, whether they're annual or
22 semi-annual, and these affairs would also require people coming
23 in and out.

24 Q (By Mr. Zolot) To use that figure, that would indicate
25 that 3 or 400 hundred of the 700 were, theoretically, are

1 chargeable to the Stratford --

2 A Okay, I said going on the premise that the monthly fore-
3 man's dinner is held every month, I don't have that information
4 whether it is or is not, whether it's a piece of nomenclature
5 and they hold it once every three months.

6 Q Or once a year?

7 A I just don't know.

8 Q Okay. So you have no way of knowing.

9 I would like to now ask my question, which I started to
10 ask and which you took objection to, namely, why wasn't info-
11 rmation requested showing the exact number of transfers to and
12 from the Stratford and Bridgeport unit in making up the survey?

13 MR. WELLS: I object.

14 HEARING OFFICER: I'll sustain the objection again.

15 Once again, I'll renew my request for the providing of this
16 information. I'd like to know, and we'll discuss it off the
17 record, if you like.

18 MR. WELLS: We have approximately 450 employees in this
19 operation. And 450 employees and payroll records for them for
20 a one year period is a sizable task to review.

21 Now, if Mr. Zolot or the Labor Board wanted precise, exact
22 figures, they could have issued a subpoena about three weeks
23 ago. We would have made the records available and they could
24 have sat down with 2 or 3 clerks and gone over this. We didn't
25 do it. We didn't think it was necessary.

1 We think that it's a well-known fact, and an obvious fact
2 that there are an infinite number of instances where you have
3 to bring people from one cafeteria to another.

4 HEARING OFFICER: Do we have with us, here today, a unit
5 manager or chef manager from either the Stratford or Bridgeport
6 facility?

7 MR. WELLS: Yes, I have them here.

8 HEARING OFFICER: I will call them later and ask it of
9 them.

10 MR. WELLS: Well, when we're finished with this witness,
11 we'll proceed with him.

12 HEARING OFFICER: That's what I'm suggesting. Sometime
13 before we finish, I'll call the witness, myself.

14 MR. WELLS: You do that.

15 HEARING OFFICER: And I'll ask that question.

16 Q (By Mr. Zolot) Mr. Brower, you talk about temporary trans-
17 fers. Now, tell me, do you know of any permanent transfers be-
18 tween the various cafeterias in the last year? Involving Strat-
19 ford-Bridgeport and other units?

20 A Yes, I do. Again, if I can qualify that, the statistics
21 that we asked for were temporary. But, I am personally aware
22 of permanent transfers between the operations you mentioned.

23 Q All right. Tells us how many, and who was involved.

24 A Okay. The one that I am personally aware of, the manager
25 to date was transferred down from the East Hartford facility.

1 And I'm also aware of another individual who was transfer-
2 red out of Sikorsky and into -- it was either -- where is Nor-
3 den?

4 Q Norwalk.

5 A Okay, he was transferred into the Norwalk facility. I
6 believe there was another transfer from Norden into Stratford.

7 Q All right. Now --

8 A These were incidental facts that came out during the course
9 of the compilation of the temporary figures.

10 Q You say a manager was transferred from East Hartford.
11 Now, the individual which you say was transferred from Sikorsky
12 to Norwalk, what was that, was that also a manager, a chef man-
13 ager?

14 A No. I would say one was a utility employee and quite pos-
15 sibly the other one could have been a cook, but I don't recall
16 specifically.

17 Q Those are the only 2 -- 3

18 A That I know of personally.

19 Q That you know of personally.

20 HEARING OFFICER: Before we go on, I think it might be
21 helpful to the reading of the record, if we could get a little
22 clarification on the Employer's Exhibit No. 3, Mr. Wells. The
23 only 2 Sikorsky facilities would be those in Stratford and Brid-
24 geport?

25 MR. WELLS: That's correct.

1 HEARING OFFICER: Now, could you go down through the fac-
2 ilities that are listed below each of the supervisors' names
3 and show us which city they are located in on Employer's Exhi-
4 bit No. 3.

5 From Mr. Zolot's earlier questioning it seems, for example,
6 under McCarthy, cafeteria H, K, and M may all be located in the
7 same city or something.

8 MR. WELLS: No, they're not. We'll clarify that.

9 HEARING OFFICER: Okay.

10 MR. WELLS: Where is office building B?

11 THE WITNESS: That's East Hartford.

12 MR. WELLS: That would be shown on the Company's Exhibit
13 No. 2 as one of the East Hartford cafeterias, right?

14 THE WITNESS: Right.

15 MR. WELLS: And cafeterias H, K, and M --

16 THE WITNESS: Again, I'm going to have to take a guess and
17 say they're Windsor Locks.

18 MR. WELLS: I know they're Windsor Locks.

19 HEARING OFFICER : Mr. Wells, you say they're Windsor Locks?

20 MR. WELLS: Yes, they're Windsor Locks.

21 HEARING OFFICER: I'm looking for this clarification from
22 either you, Mr. Wells, or the Witness, it makes no difference.

23 THE WITNESS: Farmington, there's no problem with.

24 MR. WELLS: Farmington is shown on Company's Exhibit No. 3
25 as Farmington.

1 MR. ZOLOT: It's just that, the only thing is that Farm-
2 ington is marked -- oh, yes it is marked on here.

3 MR. WELLS: And Middletown is marked on Company's Exhibit
4 No. 3. Cafeterias A, B, F, L, and Engineering and Research,
5 and Central Kitchen, where are they located?

6 THE WITNESS: These are all East Hartford.

7 MR. WELLS: And then you have one at South Windsor and that
8 is noted on the Company's Exhibit No. 3, and the Norwalk is
9 noted on it, too. Southington, North Haven, Stratford and
10 Bridgeport --

11 HEARING OFFICER: Let me ask you , for example, with regard
12 to the three that are in Windsor Locks, Cafeterias H, K, and M,
13 under McCarthy, are those three cafeterias that are just located
14 in a different area of one large industrial complex?

15 THE WITNESS: No. They would be, and I'm positive that
16 one of them is separate and distinct from at least the other
17 two, I think, I would say that the three Windsor Locks facilities
18 are standard facilities on their own.

19 HEARING OFFICER: All right. How about under F. Vasello
20 cafeterias A, B, F, L, those four cafeterias, are they like, in
21 a different wing, or different area of one overall industrial
22 complex?

23 THE WITNESS: That's quite an industrial complex. It's hard
24 to refer to it as a wing or a section of, it's probably the whole
25 town.

1 HEARING OFFICER: Okay, fine.

2 MR. WELLS: East Hartford, the East Hartford facilities
3 of United Aircraft Corporation encompass a large fenced in area
4 with several hundred acres and a number of buildings. We have
5 an airport within the fence, it's that large.

6 And, these cafeterias A, B, F, L, Engineering, and Research,
7 and Central Kitchen are in that complex. The second largest
8 facility of United Aircraft is the Windsor Locks. And there
9 they have three buildings, maybe 1, 2, and 3, and each build-
10 ing have cafeterias. It's all together.

11 Then the other locations are simply single plants at the
12 various towns.

13 HEARING OFFICER: That's the kind of description I was
14 looking for, thank you. Go ahead, Mr. Zolot.

15 Q (By Mr. Zolot) While we're on that subject talking about
16 cost centers, how many cost centers are involved here? As I
17 understand it, Stratford-Bridgeport is one.

18 A There are approximately, I believe, 17.

19 Q Just lump them together so that we can correlate that with
20 Company's Exhibit No. 3.

21 A Well, each of the--unless I counted wrong-- there's 18.
22 Stratford and Bridgeport is a single cost and all the others
23 are singles.

24 Q So, North Haven cost is a separate cost center. South-
25 ington is a separate cost center. And Norwalk is a separate cost
center, right?

1 A Yes.

2 Q That would be true of cafeterias A, B, L, H, and K, as
3 well?

4 A Yes.

5 Q Now, what, in your operational set up, is a cost center—
6 what does it signify?

7 A Okay. In this operational aspect, from a corporate stand-
8 point, the Connecticut operations of United Aircraft are a cost
9 center. One Account. The internal cost centers designations
10 within these facilities are a means of record keeping and per-
11 formance of each of the integral parts of the overall operation,
12 that is, reported back to the computer and the corporate records
13 have United Aircraft.

14 It's a tool for the district manager to measure really,
15 performance. If he has not attained, for example, his forecast
16 of results for a specific month, he can go back to forecast
17 results for each of these incremental areas to see where his
18 problems are. It's an identity process.

19 Q I take it that the manager for each of these units is,
20 therefore, responsible for the performance of his unit.

21 A Yes.

22 MR. WELLS: As far as costs are concerned.

23 Q (By Mr. Zolot) Now, let's take Stratford. Company's Ex-
24 hibit 3 indicates that there's 40 people. And, as I understand
25 it, the figure 40 includes supervisory as well as non-superviso-

1 ry and all other personnel, is that right?

2 A Right. At the Stratford, again, --

3 Q Okay, that's far enough, at Stratford. How many managers
4 or chef managers are there --

5 MR. WELLS: May I suggest -- the manager of the Stratford
6 is , he's here, you can ask him those questions.

7 MR. ZOLOT: Okay, fine.

8 Q (By Mr. Zolot) Now, if a cost -- if an individual trans-
9 fers an employee from one unit to another unit only as a tempor-
10 ary transfer, you say there's a cost adjustment made?

11 A Normally there would be.

12 Q Now, if one is to transfer individuals, how is that done?

13 A Okay. It would be done -- the actual procedure --

14 Q The actual procedure.

15 A Okay. If I was a manager at Norwalk and I was short 2 or
16 3 people today, I would go to my supervisor and advise him as
17 early as possible that I am short some people. Then he, in turn
18 would contact those facilities in the immediate area, to try
19 to get me some assistance for that day.

20 He may call Stratford and say can you spare one waitress
21 or one utility person. If you can, get that individual over to
22 Norwalk as soon as possible.

23 HEARING OFFICER: You're talking about Mr. Helbling, or
24 an assistant of his?

25 A Yes. Or Mr. Helbling -- if Mr. Helbling was unavailable

1 from the respective managers to each other. It's an inter-
2 change process. The procedure, theoretically, calls for the
3 coordination of all of these transfers through the supervisor,
4 but you can see, by the volume of the counts, there are going
5 to be occasions where you just can't reach the supervisors, par-
6 ticularly at 5:30 in the morning.

7 Q All right. So I call from Norwalk to Bridgeport and the
8 man says I have one. Then, what happens?

9 A All right. The individual reports and then the manager,
10 let's say he is coming to Norwalk from Bridgeport, the manager
11 at Bridgeport would then indicate, in his payroll for the week,
12 he would make a note, either on the payroll sheet or attach a
13 slip of paper to his payroll, indicating that when the payroll
14 is made out in the office, for John Smith, 8 hours is to be
15 charged off to Norwalk.

16 Now, this again, this is the normal procedure. There may
17 be occasions where the individual would go down with no charges.
18 It may be a reciprocal type operation. The area supervisor may
19 feel that it balances enough, in the course of the year, rather
20 than transferring the charges back and forth, it'll all wash out
21 anyway.

22 Q Now, is that exchange process applied to chefs, and chef
23 stewards, head waitresses, supervisors?

24 A Anyone.

25 Q Anyone?

1 A Anyone.

2 Q So, the 700 figure includes people who are not necessarily
3 hourly paid individuals?

4 A I would say all of the -- Okay, all of the employees are
5 hourly with the exception of the management group.

6 Q All right. Well, perhaps we should get a little clarification
7 then as to the classifications which you have under your
8 policy and procedures at Stratford -- I'd better not ask that.

9 Generally speaking, what are your classifications, starting
10 with the, what you call, the unit manager or chef manager?

11 A Right.

12 Q What are the other classifications?

13 A Okay. Then you want to include assistant managers in that
14 category?

15 Q Assistant unit managers?

16 A Assistant unit managers.

17 Q As supervisors?

18 A Right.

19 Q Now, what are the classifications?

20 A All right. You would have cook.

21 Q Cook.

22 A And varying levels of cooks, depending on the size of the
23 installation.

24 Q All right. Well, give us --

25 A From a head cook to a first cook to a second cook to a

1 cook's helper.

2 Q And then what else would you have?

3 A You would then have, you'd have waitresses, and then you
4 would have two general categories of people with the titles,
5 the titles vary from location to location throughout the company.

6 But generally, they're under the category of food prepar-
7 ation, where you would have a salad maker, a sandwich maker,
8 someone who would man the steam table and the serving line.
9 That's only part of the function. The other function would be,
10 basically, food preparation.

11 Then you have the utility category, dishwasher, potwasher,
12 porter. You would also have, possibly, clerical employees
13 depending on the size of the location. The amount and number
14 would vary, it would be administrative choice. Someone at
15 South Windsor with five employees would not have the need for
16 a clerical as much as someone at say cafeteria B would with 47
17 people.

18 Did I mention cashiers?

19 Q No, you did not.

20 A They are very important to the operations.

21 Q Now, if you have a head cook, I take it, he would be a
22 supervisor in your classification system.

23 A Again, depending on the size of the installation. If you
24 have a cook who's doing it all by himself, he would really have
25 no supervisory responsibility other than those people who would

1 be assisting him. At all, again, in a larger installation, if
2 he has 2 or 3 cooks under him, yes, he has a greater degree of
3 supervisory responsibility.

4 Q Now, how about supervision for waitresses or food preparers,
5 who would supervise them in your set up?

6 A The manager or the assistant manager or again, your chef,
7 depending on the location.

8 Q Aside from the unit, I take it that there are other ancil-
9 liary personnel like truck drivers who bring the bakery stuff
10 to the plant?

11 A Yes. That would be support from the Central Kitchen.

12 Q And in the Central Kitchen, I take it, you have bakers?

13 A Yes.

14 Q All right. What other classifications would you have?
15 In the Central Kitchen?

16 A Okay. In this specific location, I don't know.

17 Q Now, if I were the unit manager down in Stratford, and an
18 employee quits on me, what steps do I take to secure a replac-
19 ment?

20 A Okay. You would advise your district manager that you have
21 an opening. And the unit manager is given the authority to hire
22 replacements to his existing staff. If I had a general utility
23 to quit, I would have my own local forces to go in at the hourly
24 level only on a straight replacement basis.

25 If I wanted to add someone, I do not have the authority

1 to do that. I have to have my district manager's approval.

2 Q All right. Let's just stick to the guy that's being re-
3 placed on the given staff level. So you will use local sources?

4 A Local sources, right.

5 Q Employment services?

6 A State employment service, minority referral groups. A
7 good portion of the recruiting is done by word of mouth by
8 existing employees.

9 Q And within the table of organization permitted for that
10 unit, I could, I as unit manager would have the authority to
11 hire replacements?

12 A Oh, only for hourly rated employees.

13 Q All right. Now, if I want -- if there is to be a curtail-
14 ment of operations because of a layoff, does the unit manager
15 decide who is to be laidoff, in response to that reduction in
16 the work force?

17 A He would -- his suggestions would be solicited, however,
18 the final decision would rest with the district manager, relying
19 very heavily on the recommendations of the supervisor.

20 Q And , come to the third phase, if we're having new shift
21 added, we'd have to have new employees added. In my unit, I
22 assume I must first get authority from the district manager to
23 hire the personnel, is that right?

24 A Most definitely.

25 Q All right. Now, I want to hire the new personnel, what

1 procedures do I use to hire additional personnel?

2 A Okay. The approval of the supervisor and the district
3 manager must be given, you know, you've got an increase. Now,
4 you can put on 2 more waitresses, and 4 more utilities. He
5 would then follow a normal recruiting process.

6 The selection of the amounts of wages to be paid are pre-
7 determined by the district manager. So, it's a matter of get-
8 ting someone to come in for that money, filling in that form,
9 getting the district manager's signature on it, here in Connec-
10 ticut before it goes to Illinois, because without that signature,
11 a person will not be put on the payroll.

12 There is also on the form, a block that asks whether this
13 is a replacement or an addition to the staff. If it's a replace-
14 ment, then the name of the individual has to be spelled out and
15 the date the individual left. If it's an addition to the staff,
16 then it requires that signature.

17 Q Now, take the discipline problem. If I am the unit mana-
18 ger at Stratford and I have a person who is habitually late, what
19 authority do I have with respect to that individual?

20 A Okay. The managers have the authority to talk to the in-
21 dividuals at any given time concerning disciplinary problems.
22 And anything that goes, let's say there's no response beyond the
23 talking stage, the issuance of a written reprimand, if you will,
24 would have to have the supervisor's concurrence, as to the struc-
25 ture of the letter, the method in which it is to be distri-

1 buted, how it's followed up, et cetera.

2 Q And you referred to terminable offenses. Now, is there a
3 policy in management which describes what are terminable of-
4 enses?

5 A No.

6 Q Well, when you use that phrase, what do you mean?

7 A What I meant, was that those offenses that happen on the
8 spot, like if, you know, a physical attack on the person of the
9 manager, or someone who is, you know, destroying property of
10 either ours or really, it's all the clients' property.

11 And even in that instance, I would, the procedure would
12 be normally to get a hold of a particular guard and have the
13 individual ushered out.

14 Q But the unit manager would have the authority to fire him
15 right on the spot.

16 A Yes. In those instances.

17 Q And then he would follow the replacement procedures, I take
18 it?

19 A Right.

20 Q Now, what items can be purchased locally without regard to
21 looking at the approved list of purveyors?

22 A Nothing.

23 Q From the list of purveyors, are there purveyors who will
24 supply the same materials, let's take ketchup, for example,--

25 A On a competitive basis. The staple items are normally in

1 from one purveyor. It's done on -- this would be your canned
2 grocery items, your ketchup, your mustards, your perishables,
3 lettuce, produce, fruits. You may have 3 or 4 sources of sup-
4 ply in a given area.

5 Q The manager would have the right to pick within whatever
6 his menu requires. I take it --

7 A Well, his menu is prestructured for him at the district
8 manager's level. He is given what his menu is going to be,
9 because it's one menu for all of Connecticut.

10 Q So, I take it, then, all purchases except for those pur-
11 chases made locally, are made through headquarters and delivered
12 by the local purveyor or by the national purveyors, as the case
13 may be?

14 A Well, the menu is structured. The individual unit manager
15 would have to determine how many meals that Farmington is going
16 to serve, as to how many at cafeteria A. And he would have to
17 break down his menu and say, well I only need 8 crates of let-
18 tuce this week, or a crate of lettuce today.

19 And he would go to the list and say okay, here are the let-
20 tuce purveyors, and he would contact 2 or 3 of them because of
21 the daily fluctuations in price and make a determination as to
22 which is the best price. The instructions are to get the
23 best price on that item for that day within the list he has
24 been given.

25 Q And you say that the menus are planned and directed from

1 the central headquarters?

2 A Right. And what is served in Windsor Locks today is served
3 in Norwalk and served in Middletown.

4 Q The scheduling is done by the central office?

5 A Right. The district manager --

6 Q And I think you said that the prices are the same for all
7 the menu items in all cafeterias?

8 A Yes.

9 Q Now, with respect to wage rates, are they approximately
10 the same in all the cafeterias?

11 A Yes, they are. We -- the initial hiring rates are stan-
12 dard throughout, though variations will occur. Two instances,
13 longevity, people who've been here 15 or 20 years in a given
14 classification will be making more than someone who has been
15 6 months.

16 Q Okay, let's hold that for a moment. Basically the wage
17 rates are the same for a classification. Are there ranges of
18 rates?

19 A No.

20 Q In other words, you described as a cook, second class--

21 A Okay.

22 Q Okay. So that rate is uniform throughout, or is there
23 a range?

24 A There are no rate ranges. The district manager makes a
25 determination that this is what he feels is prevailing rate at
an entry level position for someone at these hiring rates,

1 they're somewhat standard throughout the state.

2 Q Now, who decides when I get an increase in pay and how is
3 that decided?

4 A Increases in pay come out on an across the board basis. And
5 this is usually determined through negotiations with the district
6 manager and the supervisors going on the recommendations from
7 each of the operations and then a presentation of the cost package to the client.

8
9 Q Now, you mentioned longevity. Is there a policy which
10 says that an individual has certain years of service will get
11 an increase in pay based on longevity?

12 A No.

13 Q How does one get a longevity increase?

14 A What I meant by longevity -- if, for instance, you have
15 an individual who started five years ago in the utility category
16 at \$1.80 an hour, and has averaged, let's say, for the
17 sake of discussion, a nickel an hour for each of those five
18 years. That person might now be at \$2.05 an hour. You may
19 have another general utility who was hired last year at \$1.90
20 an hour, who got a nickel an hour this year and is up to \$1.95.

21 So the difference in the two rates is the longevity spread.

22 Q All right. Now, assume I'm the second cook, again, in the
23 Stratford-Bridgeport unit, and an opportunity for first cook
24 arises. How do I go about getting that job?

25 A Okay. You can do it one of two ways. You can express

1 your desire at any time to your respective supervisor that
2 you are looking for career advancement, and that individual
3 who supervises a number of locations will have the name in
4 his mind.

5 Secondly, by performance, your talents are going to be
6 recognized, and if the opportunities come up, this is why the
7 pyramid effect, if you will, if the district manager gets a
8 request from a supervisor with regard to Windsor Locks that
9 he's going to have an opening for a first cook.

10 The district manager would go back to the other supervisors
11 saying we need a first cook in Windsor Locks. Do you have any-
12 one within your respective operations who is ready to become
13 a second cook and who will go to Windsor Locks.

14 This information is fed back. If there is one candidate
15 or a number of candidates, then they are interviewed and the
16 best candidate is selected and moved.

17 Q Do I go to my unitsupervisor and say I see that Joe has
18 quit. He's a first cook. I've been here 3 years, I'd like to
19 be the first cook?

20 A Yes. This happens, it's a normal occurrence.

21 Q Is it a normal occurrence?

22 A Yes.

23 Q In a unit you would fill locally -- Now, would the unit
24 manager have to get approval from the district before he could
25 promote the person from a second cook to a first cook?

1 A Yes. Because it would be -- if you're going to get a mon-
2 etary increase with this promotion, he would have to get the
3 district manager's approval.

4 Q Even though I'm merely a replacement for the guy who was--

5 A Yes. Because the way the policy is set up, the rate ch-
6 ange and all rate changes at hourly levels would require the
7 district manager's approval.

8 Q Does the unit manager have the authority to make a recom-
9 mendation for such a rate increase?

10 A Oh, yes.

11 Q Now, I take it, each of the cafeterias that you've discussed
12 has at least a unit manager or a chef manager who works under
13 the district manager or the supervisor?

14 A Correct.

15 Q At two levels. Do all employees get the same system of
16 insurance and health benefits and so on?

17 A Yes.

18 Q I should have said all hourly employees. I take it man-
19 agers and employees may have different systems?

20 A Only at certain levels.

21 Q All right. Is hot food prepared at each of the locations
22 involved, namely Stratford and Bridgeport in their own kitch-
23 ens?

24 A I don't know for sure.

25 Q All right, fine. But the Central Kitchen to which you

1 referred, is basically a bakery operation?

2 A It's a bakery and distribution, but I would -- really that
3 information would have to come from someone more in line with
4 the operations.

5 Q Now, you talk about a manual of policies and procedures
6 in existence. Does that outline a grievance procedure for all
7 employees?

8 A No, it does not.

9 Q Is there a grievance procedure for employees?

10 A Here in Connecticut?

11 Q Yes.

12 A Published and formal? No.

13 Q Is there a procedure under which an employee may request
14 a transfer to another location on a permanent basis in existence?

15 A Formal, written -- no. I think we have discussed the
16 avenues open to him on a verbal request basis.

17 Q May an employee refuse to transfer to other units outside
18 their immediate location when requested to on a temporary basis?
19 Again, assuming that I'm asked to go to North Haven and I'm
20 working in Stratford, may I say to my unit manager, no I am
21 working here and I don't want to go to North Haven?

22 A I would say yes, but I don't have any specifics as to
23 whether this -- the request has ever come in. I would say that
24 rationally and reasonably that if an individual has a commitment
25 for an appointment after work for a doctor, and couldn't get

1 there from Norwalk, on this basis, I don't know of any instances
2 where we've ordered people, or asked people to go and they've
3 refused and we've taken any type of punitive action against
4 them.

5 HEARING OFFICER: Shall we take a five-minute break here?

6 MR. ZOLOT: That's fine with me.

7 (A short recess was taken.)

8 HEARING OFFICER: Back on the record.

9 Do you have anything further, at this time, Mr. Zolot?

10 MR. ZOLOT: No.

11 MR. WELLS: Yes.

12 REDIRECT EXAMINATION

13 Q (By Mr. Wells) What is -- approximately what is the ann-
14 ual volume of sales for the cafeterias you're operating for
15 United Aircraft Corporation?

16 A The Connecticut operations sales would approximate about
17 \$5,100,000.

18 Q Per year?

19 A Per Year.

20 Q Now, the district manager, the title noted on the Company's
21 Exhibit No. 3, does he have any jurisdiction, whatsoever, over
22 any other facilities other than those operated for United Air-
23 craft Corporation?

24 A No, he does not.

25 Q And that's true for all the people listed under him on tha t

1 Exhibit?

2 A With one possible exception, Mr. McCarthy, because of his
3 length of service, I think, has one or two other operations,
4 somewhere between, let's say, Windsor Locks and Farmington.

5 Q One other question. On Company's Exhibit No. 3, numbers
6 appear after each location. I think you answered that those
7 were the total number of employees?

8 A Right. That was answered in error. These are the numbers
9 of the non-supervisory personnel at each location.

10 MR. ZOLOT: We should correct the record to show that the
11 bargaining unit potentially is the number shown on Company's
12 2 and 3. I would like another question just for clarification.

13 RECROSS-EXAMINATION

14 Q (By Mr. Zolot) Would you refer to the Company's Exhibit
15 No. 1, please. Now, I know -- the first sheet of Company's
16 Exhibit No. 1 is a letter dated December 27, 1971, Szabo Food
17 Service, Inc. to Walter E. Berger, President, United Aircraft
18 Corporation, Sikorsky Club, Inc.

19 A The first sheet?

20 Q Yes. The cover sheet.

21 HEARING OFFICER: Off the record for a moment, please.

22 (A discussion was held off the record.)

23 HEARING OFFICER: Back on the record.

24 Q (By Mr. Zolot) Now, my question is, is Sikorsky Club, Inc.
25 different than United Aircraft Corporation, if you know?

1 MR. WELLS: It is, obviously.

2 MR. ZOLOT: Well, I don't know whether it's United Aircr-
3 aft Corporation, Sikorsky Club, Inc., or whether it is United
4 Aircraft Corporation with Sikorsky being a separate entity.
5 don't know.

6 MR. WELLS: It is a social club, it's apart.

7 THE WITNESS: We provide catering to them.

8 MR. WELLS: The club would have a party there, is that
9 correct, Mr. Brower?

10 THE WITNESS: I don't know.

11 HEARING OFFICER: Off the record, please.

12 (A discussion was held off the record.)

13 HEARING OFFICER: Back on the record.

14 From an off the record discussion, it appears that the
15 reason for Mr. Zolot's most recent question was that the letter
16 that is the very first sheet on the document marked as Employer's
17 1, from Szabo Food Service to a Mr. Walter Berger, dated Dec-
18 ember 27, 1971, creates some confusion.

19 And from an off the record discussion, I understand that
20 the parties are prepared to stipulate that this letter, the
21 top sheet of Employer Exhibit No.1 only, is not to be consid-
22 ered a part of Employer's Exhibit No. 1. It was attached in
23 error, is that correct, Mr. Wells?

24 MR. WELLS: That's right.

25 MR. ZOLOT: I have nothing further then.

1 HEARING OFFICER: Do you have anything further?

2 MR. WELLS: No.

3 HEARING OFFICER: I have a few questions.

4 Off the record for a moment, please.

5 (A discussion was held off the record.)

6 HEARING OFFICER: Back on the record.

7 A few of the questions that I had for the witness were
8 obviated by the corrections in the record, at this point, that
9 the numbers following the locations on Employer's Exhibit No.3
10 are the numbers of employees employed at each of the respective
11 facilities and that those numbers include only non-supervisory
12 employees.

13 MR. WELLS: Right.

14 HEARING OFFICER: Mr. Brower, when you testified earlier
15 about temporary transfer between these facilities, would those
16 transfers have been transfers among all of the classifications
17 at each respective facility? Or were most of the transfers
18 between just a few of the given classifications that you emp-
19 loy?

20 THE WITNESS: It would have been all the classifications.

21 HEARING OFFICER: And it's my understanding from an off
22 the record discussion, that the parties are prepared to stip-
23 ulate that the following job classifications are supervisory
24 classifications within the meaning of the Act.

25 These classifications come from, for the most part, from

1 Employer's Exhibit No 3, district manager, officer manager,
2 service manager, or supervisor, and supervisors, as well as
3 unit managers, chef managers, and assistant unit managers.

4 Is it so stipulated, Mr. Wells, on behalf of the Employer?

5 MR. WELLS: So stipulated.

6 MR. ZOLOT: There is also an assistant district manager,
7 now.

8 HEARING OFFICER: That's right. And an assistant district
9 manager. Is it so stipulated, Mr. Wells?

10 MR. WELLS: Yes.

11 HEARING OFFICER: Mr. Zolot?

12 MR. ZOLOT: Yes.

13 HEARING OFFICER: Mr. Brower, I would like to know if the
14 policy for the granting of vacation time is uniform throughout
15 all the facilities that are described on Employer's Exhibit No.
16 37

17 THE WITNESS: Yes. Generally, all of the, what you would
18 categorize as fringe benefits, are standard throughout the
19 Connecticut operations, vacations, holidays, I think the group
20 insurance was discussed before.

21 HEARING OFFICER: Compensation for sick time?

22 THE WITNESS: Yes.

23 HEARING OFFICER: Bereavement leave or anything of that
24 sort?

25 THE WITNESS: Yes. Jury duty, whatever.

1 HEARING OFFICER: I have no questions. Mr. Wells?

2 MR. WELLS: No questions.

3 HEARING OFFICER: Mr. Zolot?

4 MR. ZOLOT: No questions.

5 HEARING OFFICER: You may step down.

6 (The witness was excused.)

7 MR. WELLS: I call Mr. Daggett.

8 HEARING OFFICER: Off the record.

9 (A discussion was held off the record.)

10 HEARING OFFICER: Back on the record.

11 Whereupon,

12 DARRELL DAGGETT

13 was called as a witness by and on behalf of the Employer, and
14 having been first duly sworn, was examined and testified as
15 follows:

16 HEARING OFFICER: Give the spelling of your name to the
17 reporter.

18 THE WITNESS: D-a-g-g-e-t-t.

19 DIRECT EXAMINATION

20 Q (By Mr. Wells) Mr. Daggett, you are the unit manager at
21 the Stratford-Bridgeport cafeterias for Szabo Food Services
22 Corporation?

23 A Yes.

24 Q And how long have you had that job?

25 A Since April.

1 Q 1974?

2 A Yes.

3 HEARING OFFICER: Which facility now? Stratford?

4 MR. WELLS: Stratford-Bridgeport.

5 HEARING OFFICER: Okay.

6 Q (By Mr. Wells) You're the district manager for the com-
7 bined Stratford-Bridgeport cafeterias?

8 A Right.

9 Q Right? And there are actually 2 cafeterias at Stratford?

10 A Right.

11 Q And one at Bridgeport?

12 A Right.

13 Q And the 2 at Stratford are located in a single building
14 at Stratford?

15 A Yes.

16 Q And of course, the one at Bridgeport is located in another
17 building in Bridgeport?

18 A Right.

19 Q Do you have a kitchen at each of these 3 locations?

20 A We have a kitchen, but they're not used.

21 Q The food is prepared, the hot food is prepared where?

22 A At West cafeteria.

23 Q Which is in Stratford?

24 A Yes.

25 Q You have an assistant district manager? Or I mean a unit

1 manager --

2 A No.

3 Q You have no assistants?

4 A No.

5 Q Any other supervisory employees at Stratford-Bridgeport
6 operations except yourself?

7 A Yes. I have one supervisor in Bridgeport and one at the
8 East cafeteria, and also one on second shift.

9 HEARING OFFICER: The East cafeteria at Stratford?

10 THE WITNESS: Right.

11 Q (By Mr. Wells) Their names?

12 A George Colter, and Barbara Puppo at the East cafeteria.

13 MR. WELLS: That's not my mother-in-law's name.

14 Q (By Mr. Wells) And who is the third person?

15 A Dan Guckin.

16 Q Before you came to Bridgeport, where did you work? Let
17 me withdraw the question. You just started to work for Szabo
18 Food Service in April?

19 A Yes, sir. I worked for them before.

20 Q You had worked for them before?

21 A Yes.

22 Q How long ago?

23 A Two years ago.

24 Q In the United Aircraft operations?

25 A Yes.

1 Q All right. Now, does you -- do your employees, in your
2 operations down there, cater special events that United Air-
3 craft Corporation has from time to time?

4 A They cater it. And if we can't get enough --

5 Q Just a minute, the answer is yes.

6 A Yes.

7 Q Then, for example, since you've been there, how many so-
8 called monthly foreman dinners have they had?

9 A About 4.

10 Q In other words, they don't have them every month, sometimes
11 it would be three months, sometimes two months?

12 A Right.

13 Q But you've had how many since April?

14 A Four.

15 Q Four. Now, in those instances, you use the employees from
16 your own cafaterias, do you not?

17 A Yes.

18 Q And do you draw from other cafaterias?

19 A Yes.

20 Q For additional employees?

21 A Yes.

22 Q Where do you get those employees?

23 A Southington, North Haven, Norwalk.

24 Q And how many employees do you bring down for that affair?

25 A Approximately 8 to 10, depending on how many people we're

- 1 feeding at the time.
- 2 Q How many would you feed, normally, for that operation?
- 3 A Between 275 and 300.
- 4 Q That's in the evening?
- 5 A Right.
- 6 Q Any other special events where you've had to draw people
- 7 from other cafeterias?
- 8 A Yes. Last Sunday, we had a family day.
- 9 Q What is family day, may I ask?
- 10 A Well, it's a celebration that Sikorsky put on for the new
- 11 plane.
- 12 Q Opened up the plant? Open hours - house effect?
- 13 A Right.
- 14 Q For employees?
- 15 A Right.
- 16 Q For other people -- families?
- 17 A Right.
- 18 Q You catered that?
- 19 A Yes.
- 20 Q Did you have to draw employees from elsewhere for that?
- 21 A Yes.
- 22 Q How many?
- 23 A Four all together.
- 24 Q Where did you get those?
- 25 A Two from Norwalk and two from Central Kitchen.

1 Q Central Kitchen being up at East Hartford?

2 A Right.

3 Q Any other instances, that you can recall, in which you've
4 had to draw employees from other locations?

5 A Yes. We had a fly-in, oh, two months ago, I believe.

6 Q What's a fly-in?

7 A The Army was flying in to examine its new U-task helicopter.

8 Q So a number of Army, or Navy, or Air Force people were
9 in?

10 A Right.

11 Q And you provided food service for them?

12 A Yes.

13 Q And how many did you say you had to bring in from those
14 other cafeterias?

15 A I drew two from Central Kitchen, two from Southington and
16 I believe one out of North Haven, and two from Norwalk.

17 Q A number of your employees asked to be excused to attend
18 this hearing?

19 A Yes.

20 Q How many?

21 A Five.

22 Q And where did you get the help to replace them?

23 A Southington and Norwalk or rather Southington and North
24 Haven.

25 Q Any other instances there where you've had to draw employees

1 from other cafeterias?

2 A Not at the time.

3 Q Now, you occasionally send some of your employees to other
4 cafeterias?

5 A Yes.

6 Q Can you give us any specific instances?

7 A On several occasions to Norwalk.

8 Q There'd be occasions where they'd have some special event
9 down there?

10 A They were short on employees.

11 Q How many times has that happened since you've been there?

12 A Several times.

13 Q What do you mean by several?

14 A 3 or 4 times.

15 Q Any other instances?

16 A Not that I can recall.

17 Q All right. In the instances where you've -- where you
18 bring in people from other cafeterias, to work at one of your --
19 well, let's take the instances where you've brought people in
20 from Norwalk to cover your shortage of employees for the day.

21 What sort of a record is made of that?

22 A Well, on their time card, the unit manager at Norwalk would
23 state that if it was for a full day, that the 8 hours was worked
24 at my plant at Sikorsky.

25 Q And that would simply reflect on the general payroll, right?

1 A Right.

2 Q Do you have any special transfer records?

3 A No.

4 Q Now, if you transferred one of your employees from Strat-
5 ford to Bridgeport, would you make any record of that at all?

6 A No.

7 Q Because that's one cost center?

8 A Right.

9 Q And in other words, the payroll records would not reflect
10 any transfers between Stratford and Bridgeport?

11 A No.

12 Q You state the, let's see if I have it correct, that on at
13 least 4 occasions since April, you have brought in from 8 to 10
14 people from other cafeterias to help you handle this foreman's
15 dinner?

16 A Yes.

17 MR. WELLS: I have no further questions.

18 CROSS-EXAMINATION

19 Q (By Mr. Zolot) Mr. Daggett, do you have any records
20 showing the transfers to and from your unit which would sub-
21 stantiate your testimony that you've just given?

22 A Between my units?

23 Q Yes.

24 A No.

25 Q Between your units and the Morwalk unit, and, as you said,

1 Central Kitchen, and Southington?

2 A No.

3 Q Where would those records be?

4 A If it was for the foreman's party, it would be charged under
5 that, the cost labor for that party.

6 Q How would you reflect it as a transfer?

7 A I don't --

8 MR. WELLS: Let me take it, I think I know the answer.
9 Each employee has a time card?

10 THE WITNESS: Right.

11 MR. WELLS: Now, if an employee from Norwalk came down to
12 help for that party, it would be in the evening, right?

13 THE WITNESS: Right.

14 MR. WELLS: Would he punch a time clock when he came in to
15 help you?

16 THE WITNESS: No.

17 MR. WELLS: He would not. How would he get paid? Let's
18 say he worked -- how do you handle it yourself?

19 THE WITNESS: The district supervisor would sign the card
20 stating that that person worked on that special event. From
21 there it would go back to --

22 MR. WELLS: Now, that time card then, goes to the district
23 office?

24 THE WITNESS: Right.

25 MR. WELLS: Correct?

1 THE WITNESS: Right.

2 MR. WELLS: So you don't keep any records yourself?

3 THE WITNESS: No.

4 MR. WELLS: The only source would be to go to the time
5 cards?

6 THE WITNESS: Right.

7 MR. WELLS: Isn't that right?

8 THE WITNESS: Correct.

9 Q (By Mr. Zolot) So you don't have any records then to show
10 such transfers? For the foreman's party?

11 A No.

12 MR. WELLS: The time card would obviously show it.

13 Q (By Mr. Zolot) Now, on these occasions did you hire peo-
14 ple who weren't employed by Szabo as casuals?

15 A Weren't employees?

16 Q That's right. They weren't previously employed or currently
17 employed.

18 A Well, Mr. Helbling takes care of getting the waitresses
19 for this special event. That's the district supervisor, or the
20 supervisor for Southern Connecticut.

21 Q Well, my question is, to your knowledge, are people called
22 to work, or put to work on these formal parties, who have not
23 worked at the other units within the Connecticut operation,
24 casually?

25 A Not to my knowledge.

1 Q Would you have any way of knowing whether these employees
2 who appear are new employees, casual employees?

3 A I wouldn't know, they don't work for me. So, they come
4 in, the district supervisor --

5 MR. WELLS: I have a couple of questions which would cla-
6 rify.

7 REDIRECT EXAMINATION

8 Q (By Mr. Wells) Do you have to have a pass to get into
9 the United Aircraft facilities?

10 A Well, for special events, you pick up a one-day badge at
11 the gate.

12 Q That's right. So, do Szabo employees have badges?

13 A Yes.

14 Q They have a permanent badge that lets them get into the
15 facility?

16 A Right.

17 Q Is that correct?

18 A Yes.

19 Q Now, if anybody else, to your knowledge, they don't hire
20 any casual labor?

21 A No, we're not allowed to.

22 MR. ZOLOT: You're not allowed to, but you don't know whe-
23 ther the district manager is.

24 RECROSS-EXAMINATION

25 Q (By Mr. Zolot) Now, you indicated that you had 8 to 10

1 people working at some of these foreman's dinners. Do you
2 know where the 8 -- how many came from Southington?

3 A I couldn't break it down, no.

4 Q How many came from Norwalk?

5 A I only know two, because I know the two girls. They
6 came up and helped me on their vacations.

7 Q North Haven?

8 A I couldn't tell you.

9 Q Now, is it 8 to 10 on each on of these occasions, or is
10 it less?

11 A It depends on if I can get my girls to work. If they
12 don't want to work, then we'll have to bring in from other in-
13 stallations.

14 Q But, if your people are available to work, you'd use them?

15 A Right.

16 Q Even though it involves overtime payment?

17 A Right.

18 Q Now, would you tell us what classifications of employees
19 you have working at the two locations?

20 A Well, we have general utilities, I have a chef, a second
21 cook, cook's helper, cashiers, a service line.

22 MR. WELLS: Food preparation?

23 THE WITNESS: Food preparation. And waitresses.

24 Q (By Mr. Zolot) Now, would you tell us what the respon-
25 sibilities are of the chef?

1 A To see that the food's cooked, put out, proportion-wise,
2 put out right, supervises the first chef or the first cook,
3 and his helpers.

4 Q All right. What's he do in the supervisory --

5 HEARING OFFICER: Off the record.

6 (A discussion was held off the record.)

7 HEARING OFFICER: Back on the record.

8 From an off the record discussion, it's my understanding
9 that Mr. Zolot was beginning to question the witness on the
10 facts which would address themselves to the supervisory status
11 of the chef, who prepares the food for both the Bridgeport
12 and Stratford locations.

13 It's my further understanding, from an off the record
14 discussion, that the parties are prepared to stipulate that
15 the chef, may I have that individual's name?

16 THE WITNESS: Ralph Gilpatric.

17 HEARING OFFICER: Ralph Gilpatric.

18 MR. WELLS: Wait a minute. Could we go off the record?

19 HEARING OFFICER: Off the record.

20 (A discussion was held off the record.)

21 HEARING OFFICER: Back on the record.

22 This Mr. Gilpatric is a supervisor within the meaning of
23 the National Labor Relations Act, in that he has the authority
24 to responsibly direct employees in their routine daily work
25 by the use of his own independent judgement.

1 He has the authority to effectively recommend hiring or
2 disciplinary action.

3 Is it so stipulated, Mr. Wells, on behalf of the Employer?

4 MR. WELLS: Yes.

5 HEARING OFFICER: Mr. Zolot, on behalf of the Petitioner?

6 MR. ZOLOT: Yes.

7 Q (By Mr. Zolot) I think, perhaps, we should dwell on this.

8 When we talk about the second shift supervisor, does he have
9 the same authority as the unit manager, when he's on duty?

10 A As a rule, he comes to me first, before there's any de-
11 cision made.

12 MR. WELLS: We would say they are supervisors. The only
13 one in charge on that shift.

14 MR. ZOLOT: How about the one in the East? Where there
15 are two kitchens?

16 MR. WELLS: We don't have two there. We have a West and
17 an East.

18 THE WITNESS: The supervisor?

19 MR. ZOLOT: Yes.

20 MR. WELLS: Isn't that the one we've already described as
21 being a supervisor.

22 MR. ZOLOT: Barbara Puppo.

23 MR. WELLS: Remember, we asked him the names?

24 Q (By Mr. Zolot) I mean, does she perform a supervisory
25 function?

1 A Yes.

2 Q Similar to your chef?

3 A Right.

4 HEARING OFFICER: Off the record.

5 (A discussion was held off the record.)

6 HEARING OFFICER: Back on the record.

7 To avoid any confusion on the stipulations that have been
8 taken with regard to the supervisory status of individuals,
9 employed at the Stratford and Bridgeport facilities, it's my
10 understanding from an off the record discussion with the parties,
11 that they have stipulated and are now stipulating that the fol-
12 lowing individuals are supervisors within the meaning of the
13 National Labor Relations Act.

14 And that they have the authority to effectively recommend
15 hiring or disciplinary action; that they responsibly direct
16 the employees in their routine daily performances by use of
17 their own independent judgement.

18 The following individuals being George Colter, Barbara
19 Puppo, Dan Guckin, and Ralph Gilpatric.

20 Do you so stipulate, Mr. Wells?

21 MR. WELLS: In addition to the witness, himself.

22 HEARING OFFICER: Is it so stipulated, Mr. Zolot?

23 MR. ZOLOT: Yes.

24 HEARING OFFICER: Included in that stipulation is the
25 witness, himself. Mr. Zolot?

1 MR. ZOLOT: Yes. And I have nothing further from this
2 witness.

3 MR. WELLS: Just one more question.

4 FURTHER REDIRECT EXAMINATION

5 Q (By Mr. Wells) Mr. Daggett, you have, outside the super-
6 visors, some other people that you mentioned. Do you have a
7 clerk? Any clerical help?

8 A One secretary. She does both.

9 Q Does what?

10 A She takes cash and office work.

11 Q I see. She's a --

12 A All around girl.

13 Q She's a cashier and clerk?

14 A Yeah.

15 MR. WELLS: That's all I have.

16 MR. ZOLOT: Is she in or out of the unit, Joe?

17 MR. WELLS: She's a cashier.

18 MR. ZOLOT: We will stipulate to that individual, that
19 she is part of the bargaining unit.

20 HEARING OFFICER: What's her name?

21 THE WITNESS: Margaret Wilson.

22 MR. ZOLOT: I have nothing further.

23 HEARING OFFICER: I understand that Margaret Wilson will
24 be included in the description of the unit as a food service
25 employee. So stipulate, Mr. Wells?

MR. WELLS: Yes.

1 HEARING OFFICER: Mr. Zolot?

2 MR. ZOLOT: Yes.

3 MR. ZOLOT: Joe, I don't have any more questions.

4 HEARING OFFICER: Off the record.

5 (A discussion was held off the record.)

6 HEARING OFFICER: Back on the record.

7 We will take a five-minute recess.

8 (A short recess was taken.)

9 HEARING OFFICER: Back on the record.

10 Mr. Zolot has more questions. Mr. Zolot?

11 FURTHER RECROSS-EXAMINATION

12 Q (By Mr. Zolot) You referred to the special events such
13 as the foreman's dinner and so on. Are they accounted for
14 separately as special events?

15 A Yes.

16 Q They're not part of your normal cost center function?

17 A No.

18 Q And these are not really the normal kind of activities --

19 MR. WELLS: I object to that. What does he mean by nor-
20 mal, except that --

21 Q (By Mr. Zolot) All right. This is not part of your plant
22 feeding operation. It's covered by a separate arrangement, is
23 it not?

24 A Not during a normal serving day.

25 Q All right. It's not during the normal serving day.

1 A No, it isn't.

2 Q Is that right?

3 A Yes.

4 MR. ZOLOT: That's all I have.

5 MR. WELLS: That's all I have.

6 EXAMINATION

7 Q (By the Hearing Officer) Mr. Daggett, how are the hourly
8 paid employees paid, by check?

9 A By check.

10 Q Is it on a weekly basis, bi-weekly basis?

11 A Yes. Well, every week.

12 Q Every week. Do you happen to know if it's the same for
13 all the other facilities that would be on Employer's Exhibit
14 No. 3, by check on a weekly basis?

15 A I suppose so.

16 Q Now, Mr. Daggett, in your experience since April, have
17 there been any individuals who have been promoted from, say
18 second cook into a first cook position, the employee coming
19 from some facility other than Stratford-Bridgeport into the
20 Stratford or Bridgeport facility.

21 In other words, promotion into one of the two facilities
22 that you manage.

23 A No.

24 Q Would there have been a promotion of an individual from
25 one of your two facilities out to another cost center?

1 A Yes.

2 Q How many instances like that?

3 A One instance since I've been there.

4 Q What were the classifications involved, promotion from
5 what to what?

6 A From cook to chef manager.

7 HEARING OFFICER: Off the record.

8 (A discussion was held off the record.)

9 HEARING OFFICER: Back on the record.

10 Earlier today, I took a stipulation with regard to the
11 supervisory status of the district manager, officer manager,
12 assistant district manager, service supervisors, and the super-
13 visors that would be listed on Employer's Exhibit No. 3.

14 And I took a stipulation to a conclusion. Can we amend
15 that stipulation to reflect that these individuals are super-
16 visors within the meaning of the National Labor Relations Act,
17 in that they have the authority to hire and fire, effectively
18 recommend, and so on?

19 MR. WELLS: Why don't you just stop with they are super-
20 visors within the meaning of the Act. These -- There's no
21 problem.

22 HEARING OFFICER: Can it be so stipulated, Mr. Wells?

23 MR. WELLS: Yes.

24 HEARING OFFICER: Mr. Zolot?

25 MR. ZOLOT: Yes.

1 HEARING OFFICER: Now, there was some question earlier
2 with regard to whether the Employer brings in casual employees
3 who ordinarily aren't even employed by Szabo for some of these
4 special events at Stratford and Bridgeport.

5 MR. ZOLOT, do you have any information that the Employer
6 does? Do you have any testimony that you want to provide that
7 the Employer does employ casuals for these special events?

8 MR. ZOLOT: I have no testimony that I would be prepared
9 to offer.

10 HEARING OFFICER: Mr. Zolot, I understand that you are not
11 seeking office clericals.

12 MR. WELLS: There are no office clericals.

13 HEARING OFFICER: I believe that the testimony reflects
14 that one girl who performs some office clerical work and is also
15 a cashier.

16 Off the record.

17 (A discussion was held off the record.)

18 HEARING OFFICER: Back on the record.

19 It's my understanding from an off the record discussion,
20 that Mr. Zolot would like to phrase a stipulation to the parties.

21 MR. ZOLOT: Propose to stipulate that the production and
22 maintenance employees of the various divisions of the United
23 Aircraft are represented by different unions at the time I'm
24 about to describe.

25 At Norwalk, the employees are employed by the Norden divi-

1 sion of United Aircraft and are represented by an I.U.E. local
2 union. That the employees at the Stratford and Bridgeport
3 plants are employed by the Sikorsky division of United Aircraft
4 and are represented by a Teamster local union.

5 That the employees at North Haven, Middletown, Southington,
6 Farmington --

7 MR. WELLS: No, not Farmington.

8 MR. ZOLOT: -- Southington, East Hartford are employees
9 of United Aircraft, the Pratt and Whitney division of United
10 Aircraft, and that, prior to today at least, there were dif-
11 ferent bargaining units, involving Machinists at North Haven,
12 Middletown, Southington, and East Hartford.

13 The employees located at Windsor Locks and South Windsor,
14 the employees at Windsor locks are employees of the Hamilton
15 Standard division of United Aircraft and they are represented
16 by another unit of the Machinists International Union.

17 We have no stipulation with respect to the employees at
18 South Windsor or at Farmington.

19 HEARING OFFICER: So stipulate, Mr. Wells?

20 MR. WELLS: Yes.

21 HEARING OFFICER: So stipulated, Mr. Zolot?

22 MR. ZOLOT: I make an offer of proof that the Petitioning
23 local union is chartered to represent employees within their
24 crafts who may be working in the areas which would include
25 Southington, Middletown, North Haven, Stratford-Bridgeport, and

1 Norwalk plants of United Aircraft and which Szabo employees
2 may also be employed.

3 But does not have jurisdiction with respect to locations
4 at Farmington, East Hartford, South Windsor, or Windsor Locks.

5 HEARING OFFICER: By jurisdiction, you mean by charter.

6 MR. ZOLOT: By charter, by it's International.

7 HEARING OFFICER: Can we get a stipulation to that effect,
8 Mr. Wells?

9 MR. WELLS: I'd be glad to take the representation to that
10 effect.

11 HEARING OFFICER: So stipulated?

12 MR. WELLS: Yes.

13 MR. ZOLOT: That's all we have.

14 MR. WELLS: I don't believe it has any relevance, whatso-
15 ever, to the unit in question, but I will stipulate to those
16 facts.

17 HEARING OFFICER: With respect to the unit description,
18 the unit description as contained in the Petition, and was
19 stated earlier, however, Mr. Zolot, I would like you to state
20 for the record now, the job classifications that you are seeking
21 at Stratford and Bridgeport.

22 MR. ZOLOT: The unit is all food service employees at the
23 Employer's Food Service operation in the Sikorsky plants in
24 the Bridgeport, Connecticut plants of Sikorsky Aircraft which
25 would include the general utility employees, food preparation

1 employees, waitresses, cashiers, second cooks, cooks helpers.

2 It would exclude chef, the assistant unit manager, the unit
3 manager, employed at that location, and excluding all other
4 employees at all other locations within Connecticut.

5 HEARING OFFICER: Do any other — do any of the parties
6 intend to file post-hearing briefs?

7 MR. WELLS: Yes.

8 HEARING OFFICER: Mr. Zolot?

9 MR. ZOLOT: Yes, reluctantly.

10 HEARING OFFICER: Off the record.

11 (A discussion was held off the record.)

12 HEARING OFFICER: Back on the record.

13 The reporter estimates that the transcript will be avail-
14 able on about Monday, November 4th, so briefs will be due
15 to be filed with the Regional Office by the close of business
16 on Monday, November 11th.

17 And any questions for extension of time with which to file
18 a brief can be directed to the Regional Director in writing.

19 Mr. Zolot, before we finish, I'll ask you do you have any
20 further questions of Mr. Daggett with regard to the question of
21 temporary or permanent transfers in and out of his cost center?

22 MR. ZOLOT: No, sir.

23 HEARING OFFICER: Do you have any information, you wish
24 to provide, yourself?

25 MR. ZOLOT : No, sir.

1 HEARING OFFICER: Is there anything further that the parties
2 wish to present at this hearing? Mr. Wells?

3 MR. WELLS: No, thank you.

4 HEARING OFFICER: Mr. Zolot, on behalf of the Petitioner?

5 MR. ZOLOT: No, sir.

6 HEARING OFFICER: If there is nothing further, the hearing
7 will be closed.

8 (No response.)

9 HEARING OFFICER: The hearing is closed.

10 (Whereupon, at 12:52 p.m., the hearing in the above matter
11 was closed.)

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